

Department of Permits and Development Management
111 West Chesapeake Avenue
Towson, Maryland 21204
Baltimore County, Maryland

In the Matter of

Civil Citation No.60129

Gary Steckler
c/o Nantucket Garth
Phoenix, MD 21131

1914 Jasmine Road

Respondent

FINDINGS OF FACT AND CONCLUSIONS OF LAW
FINAL ORDER OF THE CODE ENFORCEMENT HEARING OFFICER

This matter came before the Code Enforcement Hearing Officer for the Department of Permits and Development Management on June 2, 2009, for a hearing on a citation for violations under the Baltimore County Code (BCC) section 13-4-201 (b)(d) failure to store garbage in containers with tight fitting lids on residential property zoned DR 10.5 known as 1914 Jasmine Road, 21222.

On April 30, 2009, pursuant to §3-6-205, Baltimore County Code, Code Enforcement Officer, issued a code enforcement citation. The citation was sent to the Respondent by 1st class mail to the last known address listed in the Maryland State Tax Assessment files.

The citation proposed a civil penalty of \$200.00 (two hundred dollars).

The following persons appeared for the Hearing and testified: the Respondent, Jonathan Steckler, Tenant, Walter Dorsett and, Ed Creed, Baltimore County Code Enforcement Officer.

After proper consideration of all the evidence and testimony presented, the Hearing Officer finds:

A. Respondent has been issued Citations previously in 2007 and 2008 for similar code violations. A \$25 ticket was enforced against Respondent in 2008 for failure to properly store garbage.

B. Photograph in the file shows cans full of bagged garbage with no lids. This failure to store all garbage properly in cans with tight-fitting lids violates County Code provisions prohibiting conditions that are conducive to rat harborage and rodent infestation.

C. Respondent Steckler and the current property tenant, Mr. Dorsett, testified at this Hearing that the violations will be corrected. Respondent Steckler further testified that he will more closely monitor the property and that efforts will be made to clean up the yard and restore grass to the front yard. Because compliance is the goal of code enforcement, the civil penalty will be rescinded if the property is found to be in compliance upon re-inspection.

IT IS ORDERED by the Code Enforcement Hearing Officer that a civil penalty be imposed in the amount of \$50.00 (fifty dollars).

IT IS FURTHER ORDERED that the civil penalty will be RESCINDED and reduced to zero dollars if the violations are corrected by July 1, 2009. If re-inspection finds continued violations, the civil penalty shall be imposed.

IT IS FURTHER ORDERED that if not paid within thirty days of billing, the civil penalty as authorized above shall be imposed and placed as a lien upon the property.

IT IS FURTHER ORDERED that the County inspect the property to determine whether the violations have been corrected.

ORDERED this 9th day of June 2009.

Signed: ORIGINAL SIGNED
Margaret Z. Ferguson
Baltimore County Hearing Officer

NOTICE TO RESPONDENT: The Respondent is advised that (1) pursuant to §3-6-206(g)(2) of the Baltimore County Code, the Respondent may make written application to the Director of the Department of Permits & Development Management within 10 days to modify or amend this order and (2) pursuant to §3-6-301(a), Baltimore County Code, the Respondent may appeal this order to the Baltimore County Board of Appeals within fifteen (15) days from the date of this order; any such appeal requires the filing of a petition setting forth the grounds for appeal, payment of a filing fee of \$150 and the posting of security to satisfy the penalty assessed.